

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ERIC FLORES,	:	
Petitioner,	:	
v.	:	Case No. 3:15-cv-381
LORETTA LYNCH, Attorney	:	JUDGE WALTER H. RICE
General of the United States, <i>et</i>	:	
<i>al.</i> ,	:	
Respondents.	:	

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #3);
DISMISSING COMPLAINT (DOC. #2) WITH PREJUDICE; JUDGMENT
TO BE ENTERED IN FAVOR OF RESPONDENTS AND AGAINST
PETITIONER; TERMINATION ENTRY

Based on the reasoning and citations of authority set forth by United States Magistrate Judge Michael R. Merz, in his October 19, 2015, Report and Recommendations, Doc. #3, as well as on a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety.

A copy of the Report and Recommendations, which included a notice of Petitioner's right to file Objections and the consequences of failing to do so, was sent to Petitioner at the address he provided, but was returned to the Court as undeliverable, and unable to forward. Petitioner has a duty to provide the Court with a valid address. The Court takes judicial notice that the address he provided,

“General Delivery, 8401 Boeing Drive, El Paso, TX 79910,” is the address of a post office in El Paso. Because Petitioner has provided no post office box number, it appears that it would be futile to re-send the Report and Recommendations to the same address.

Typically, the Court is reluctant to dismiss a case with prejudice when the Petitioner has not received adequate notice of the Court’s intent to do so. In this case, however, the Court foresees no possibility that Petitioner can overcome the fatal flaws in his case. Not only are the claims barred by the doctrine of *res judicata*, but they are also clearly frivolous, given that Petitioner alleges that unidentified federal government employees used advanced satellite technology to take physical control of the minds of his countless relatives, causing them to commit adultery, thereby violating his First Amendment right to freedom of religion. Accordingly, under the circumstances presented here, Petitioner’s Complaint, Doc. #2, is DISMISSED WITH PREJUDICE.

Judgment shall be entered in favor of Respondents and against Petitioner.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: November 6, 2015



WALTER H. RICE
UNITED STATES DISTRICT JUDGE